

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

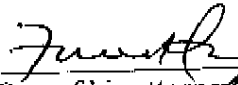
U.S. DISTRICT COURT
NOV 12 AM 10:41

In re:) Chapter 11
)
VIRGIL F. LIPTAK d/b/a DESIGNED) Case No. 03 B 29854
FINANCIAL SERVICES,)
) Judge Jacqueline A. Cox
Debtor and Debtor in Possession.)
) Hearing: November 18, 2003 at 9:30 a.m.

NOTICE OF MOTION

To: See attached service list.

PLEASE TAKE NOTICE that on November 18, 2003 at 9:30am, I will appear before the Honorable Jacqueline A. Cox, or any other Judge sitting in her stead, in courtroom 619 of the U.S. Bankruptcy Court for the Northern District of Illinois, Eastern Division, 219 S. Dearborn St., Chicago, IL, and then and there present Motion of Forrest L. Ingram, P.C. to Withdraw as Counsel for Debtor, a copy of which is enclosed and herewith served upon you. AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD.


One of his attorneys

FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

Forrest L. Ingram #3129032
Julie A. Boynton
Martin B. Tucker
Forrest L. Ingram, P.C.
79 W. Monroe St., Suite 1210
Chicago, IL 60603
(312) 759-2838

NOV 12 2003

KENNETH S. GARDNER, CLERK
PS REP. - KB

CERTIFICATE OF SERVICE

The undersigned attorney certifies that he served a true and correct copy of the foregoing Notice and the document to which it refers on all parties entitled to service at the address listed above, by facsimile, on or before 5:00 p.m. on the 12th day of November 2003.



SERVICE LIST

Kathryn Gleason
Office of U.S. Trustee
227 W. Monroe, Suite 3300
Chicago, IL 60602
Fax: (312) 886-5794

Michael L. Atchley
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Virgil F. Liptak
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Fax: (214) 691-3326

***** -COMM. JOURNAL- ***** DATE NOV-11-2003 ***** TIME 18:19 *****

MODE - MEMORY TRANSMISSION

START=NOV-11 18:00

END=NOV-11 18:19

FILE NO.=467

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-FORREST L INGRAM PC

***** -312 759 0298 - *****

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Forrest L. Ingram
Julie A. Boynton
Martin B. Tucker

FAX COVER SHEET

From: Forrest L. Ingram  Date: November 11, 2003

To:

Kathryn Gleason, Trustee
Cameron Gulden, Trustee
OFFICE OF THE UNITED STATES TRUSTEE
227 W. Monroe, Suite 3300
Chicago, IL 60602

Elizabeth Thomhill
c/o Michael Archley
DANIEL SHEEHAN & ASSOCIATES
3060 Chase Tower
2200 Ross Avenue
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Bourland, Kirkman, Seidler, Evans, Jay & Michel, LLP
Attn: Thomas Michel

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5208 Caladium Dr.
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FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

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Pages: 17

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MODE = MEMORY TRANSMISSION

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END-NOV-12 08:57

FILE NO.=473

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-FORREST L INGRAM PC -

***** -312 759 0298 - *****

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Julie A. Baynton
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FAX COVER SHEET

From: Forrest L. Ingram  Date: November 11, 2003

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Kathryn Gleason, Trustee
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
VIRGIL F. LIPTAK d/b/a DESIGNED)	Case No. 03 B 29854
FINANCIAL SERVICES,)	
)	Judge Jacqueline A. Cox
)	
Debtor and Debtor in Possession.)	Hearing: Nov. 18, 2003 at 9:30 AM..

CERTIFICATE OF SERVICE

I, Crystal Brown, being first duly sworn upon oath, certify that I served a true and correct copy of the motion of Debtor's attorneys to withdraw as counsel on Debtor Virgil Liptak on November 12, 2003 by overnight mail addressed to:

I further attest that I attempted to serve him several times on November 12, 2003, by fax transmission but the fax transmission sheet indicated that his fax machine was not receiving the transmission.


Crystal Brown

Forrest L. Ingram #3129032
Julie A. Boynton
Martin B. Tucker
Forrest L. Ingram, P.C.
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Chicago, IL 60603
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
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In re:) Chapter 11
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VIRGIL F. LIPTAK d/b/a DESIGNED) Case No. 03 B 29854
FINANCIAL SERVICES,)
) Judge Jacqueline A. Cox
)
Debtor and Debtor in Possession.) Hearing: November 18, 2003 at 9:30 a.m.
)

**MOTION OF DEBTOR'S ATTORNEYS
TO WITHDRAW AS COUNSEL**

NOW COME Debtor's attorneys, FORREST L. INGRAM, JULIE A. BOYNTON, and MARTIN B. TUCKER of FORREST L. INGRAM, P.C., and move this Court for leave to withdraw from representing the Debtor and Debtor in Possession VIRGIL F. LIPTAK ("Liptak"), in this chapter 11 case. In support of the motion, Debtor's attorneys state as follows:

1. On July 16, 2003, Liptak filed his *pro se* voluntary petition for relief under chapter 11 of the U.S. Bankruptcy Code.
2. On September 23, 2003, this Court approved the employment of the attorneys of FORREST L. INGRAM, P.C. to represent the Debtor and Debtor in Possession in Case No. 03 B 29854, *In re Virgil F. Liptak*.
3. Before the Court entered the order allowing the employment of counsel, Elizabeth Thornhill filed a motion to dismiss the chapter 11 case.
4. On September 23, 2003, the Court set a briefing schedule and a hearing date on the motion. The hearing is set for November 19, 2003 at 2:00 P.M.
5. Debtor's attorneys timely filed Debtor's response to the motion to dismiss.

6. However, in the process of preparing that document and other memoranda of law for parallel hearings on November 19, 2003, it has become clear that the attorney-client relationship between Debtor and his court-appointed counsel has broken down. Differences between Debtor and of Debtor's counsel with respect to drafting strategies, styles, and legal reasoning have so increased that those differences have become irreconcilable.


7. Debtor's counsel does not believe that it can properly represent Debtor in this case because of the stark differences between Debtor and Debtor's counsel in drafting and litigation strategies and the requirements of legal argumentation.

WHEREFORE, the attorneys for Debtor and Debtor in Possession, namely FORREST L. INGRAM, JULIE A. BOYNTON, and MARTIN B. TUCKER of FORREST L. INGRAM, P.C. pray this Court to grant them leave to withdraw as counsel for the Debtor in this chapter 11 case, and further request all pending matters be continued for thirty (30) days in order that Debtor VIRGIL F. LIPTAK be able to find suitable substitute counsel to assist him or to announce to the Court his intention of going forward *pro se*. Debtor's counsel asks for such other and further relief as may be just.

Respectfully submitted,

FORREST L. INGRAM, P.C.

By:


Forrest L. Ingram

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